

# SENATE BILL 885

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2lr2851  
CF HB 1121

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By: **Senator Peters**

Introduced and read first time: February 3, 2012

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Correctional Services~~ **Parole and Probation – Employee Caseloads –**  
3 **Disciplinary Actions**

4 FOR the purpose of requiring the Division of Parole and Probation to ~~establish~~  
5 consider a certain ~~standard~~ caseload for parole and probation employees;  
6 ~~requiring the caseload standard to be considered during~~ when considering  
7 employee disciplinary actions; and generally relating to the performance of  
8 Division of Parole and Probation employees.

9 BY repealing and reenacting, ~~with~~ without amendments,  
10 Article – Correctional Services  
11 Section 6–104  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2011 Supplement)

14 BY adding to  
15 Article – Correctional Services  
16 Section 6–117  
17 Annotated Code of Maryland  
18 (2008 Replacement Volume and 2011 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Correctional Services**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 6-104.

2 (a) Subject to the authority of the Secretary and in addition to any other  
3 duties established by law, the Division:

4 (1) shall:

5 (i) supervise the conduct of parolees;

6 (ii) supervise an individual under mandatory supervision until  
7 the expiration of the individual's maximum term or terms of confinement;

8 ~~(iii) ESTABLISH A STANDARD CASELOAD FOR PAROLE AND~~  
9 ~~PROBATION EMPLOYEES IN ACCORDANCE WITH § 6-117 OF THIS SUBTITLE;~~

10 ~~[(iii)] (iv)~~ regularly inform the Commission of the activities of  
11 offenders who are supervised by the Division;

12 ~~[(iv)] (v)~~ issue a warrant for the retaking of an offender  
13 charged with a violation of a condition of parole or mandatory supervision, if this  
14 authority is delegated by the Commission to the Director of the Division; and

15 ~~[(v)] (vi)~~ administer the Drinking Driver Monitor Program,  
16 collect supervision fees, and adopt guidelines for collecting the monthly program fee  
17 assessed in accordance with § 6-115 of this subtitle; and

18 (2) may recommend:

19 (i) that the Commission modify any condition of parole or  
20 mandatory supervision; and

21 (ii) that the Commission issue a warrant for the retaking of an  
22 offender.

23 (b) Funding for the Drinking Driver Monitor Program shall be as provided in  
24 the State budget.

25 6-117.

26 ~~THE~~ WHEN CONSIDERING DISCIPLINARY ACTION RELATED TO THE  
27 PERFORMANCE OF A PAROLE AND PROBATION EMPLOYEE, THE DIVISION  
28 SHALL:

29 ~~(1) ESTABLISH A STANDARD CASELOAD FOR PAROLE AND~~  
30 ~~PROBATION EMPLOYEES OF 60 ACTIVE CASES; AND~~

1            ~~(2) CONSIDER THE CASELOAD STANDARD UNDER PARAGRAPH (1)~~  
2 ~~OF THIS SECTION WHEN CONSIDERING DISCIPLINARY ACTIONS RELATED TO~~  
3 ~~EMPLOYEE PERFORMANCE~~ CONSIDER THE SIZE OF THE EMPLOYEE'S ACTIVE  
4 CASELOAD AND THE CLASSIFICATION OF THE OFFENDERS WITHIN THE  
5 EMPLOYEE'S ACTIVE CASELOAD AT THE TIME OF THE EVENT GIVING RISE TO  
6 THE CONSIDERATION OF DISCIPLINARY ACTION.

7            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8            October 1, 2012.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.